

FORM PTO-1390  
(REV. 1-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

28841/34649

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

**09/051549**INTERNATIONAL APPLICATION NO.  
PCT/ES96/00159INTERNATIONAL FILING DATE  
12 August 1996

PRIORITY DATE CLAIMED

**TITLE OF INVENTION**

Feminine Garment Providing a Sexually Stimulating Effect

**APPLICANT(S) FOR DO/EO/US**

Luis Alvarez Fernandez

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:  
Verified Statement (Declaration) Claiming Small Entity Status  
(37 CFR § 1.9(c-f) and § 1.27(b-d)  
  
Certificate of Mailing by Express Mail

CT/ES96/00159

28441/34649

17. ☒ The following fees are submitted:

## CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1070.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$930.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$720.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$1070.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	4 - 20 =		x \$22.00	\$ 0.00	
Independent claims	1 - 3 =		x \$82.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 0.00	

TOTAL OF ABOVE CALCULATIONS =

\$1070.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

+

\$ 535.00

SUBTOTAL =

\$ 535.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 0.00

TOTAL NATIONAL FEE =

\$ 535.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ 0.00

TOTAL FEES ENCLOSED =

\$ 535.00

Amount to be  
refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$ 535.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 13-2855. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

## SEND ALL CORRESPONDENCE TO:

James P. Zeller  
Marshall, O'Toole, Gerstein,  
Murray & Borun  
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Chicago, IL 60606-6402  
(312) 474-6300

SIGNATURE

James P. Zeller

NAME

28,491

REGISTRATION NUMBER

PATENT APPLICATION  
Atty. Docket No.: 28841/34649

Application of:	)	For: FEMININE GARMENT PROVIDING
	)	A SEXUALLY STIMULATING EFFECT
Luis A. Fernandez	)	
	)	
U.S. National Phase of	)	Group Art Unit: To Be Assigned
PCT/ES96/00159 -	)	
Filed August 12, 1996	)	Examiner: To Be Assigned
	)	
Filed: HEREWITH	)	

**CERTIFICATION UNDER 37 CFR 1.10**

**BOX PCT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that the following documents are being deposited with the United States Postal Service on April 9, 1998 in an envelope addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EM578404267US.

Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing Under 35 U.S.C. 371;

English translation of Spanish language international application, including four sheets of specification, two sheets of claims, one sheet abstract, and one sheet of Drawings (Figs. 1-3);

Combined Declaration and Power of Attorney;

Verified Statement (Declaration) Claiming Small Entity Status (37 CFR § 1.9(c-f) and §1.27(b-d)

Preliminary Amendment;

Spanish-language Form PCT/ISA/210 (International Search Report); and

A check in the amount of \$535.00.

  
Richard Zimmerman